On the above Petition it is Ordered by the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity, on this sixth day of September, in the year Nineteen hundred and twenty-three that John H. Martz be and he is hereby appointed to be the Guardian as Litem for Elmer Berriker, the infant Defendant in the above entitled case, to appear for said infant and answer the Bill of Complaint filed against said infant in this case.

(Filed September 6.1923)

Glenn H. Worthington.

ANSWER OF INFANT.

Annie P. Hedges, et al.

Ve.

Elmer Perriker Infant.

No.10800 Equity. In the Circuit Court for Frederick County. sitting in Equity.

THE ANSER OF Elmer Berrikeran Infant under the age of twenty-one years by John H. Martz, Guardian as Litem, to the Bill of Complaint of Annie P. Hedges at al, against Elmer Berriker, in the Circuit court for Frederick County, sitting as a Court of Equity exhibited. This Defendant cannot admit any of the matters and things alleged in the Pill and being infant of tender years, submits his rights to the protection of this Court.

(Filed September 6.1923)

John H. Martz Guardian Ad. Litem.

TESTIMONY.

11

17

**

**

**

11

**

**

Annie P. Hedges, unmarried, John W. Hedges and wife, et al.

Vs.

Elmer Berriker, Infant.

No. 10,800 Equity.

In the Circuit Court for Frederick County. Sitting

as a Court of Equity.

The above entitled case being at issue, and notice having been given me by the solicitor for the Plaintiffs of his desireto take testimony therein, I, Clayton O. Keedy, one of the Standing Examiners of said Court, duly appointed, qualified and sworn, having assigned the 10th day of September, A.D. 1923, at the office of Jacob Rohrback, Esq. in Frederick Maryland, as the time and place for taking the testimony in this case, and having given due notice thereof to the parties concerned did at the appointed time and place proceed to take the following testimony to-wit;-

The Plaintiffs filed with the Examiner as evidence, Exhibits A. and B., which are herewith returned by the said Examiner; -

71

**

Annie P. Hedges, et al.

Vs.

Elmer Berriker, Infant.

No. 10,800 Equity.

In the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity.

Testimony taken at the office of Jacob Rohrback, Attorney at Law, in Frederick City, Maryland, on Monday, September 10th, 1923.

ANNIE F. HEDGES, a witness of lawful age, produced on the part of the Plaintiffs, being first duly sworn and examined by the viva voce deposed and says as follows.

DIRECT EXAMINATION.

Question by Jacob Rohrback, Esq.

State of you knew Gideon M. Hedges during his lifetime, when he died, his next of kin, and what real estate he was possessed of at the time of his death and whether it would be advatugeous to have the same sold and divided among those entitled thereto? State the same fully and at large in your answer?